

**Response After Final Rejection
Expedited Handling Requested - GAU 2827**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rosen et al.
Serial No.: 09/697,619
Filed: October 26, 2000
Title: Photodiode/Laser Mounting Bracket
Art Unit: 2827
Examiner: Tuan T. Dinh
Docket No.: D2446

Assistant Commissioner for Patent
Washington, D.C. 20231

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**PETITION UNDER 37 CFR 1.136(a) and
RESPONSE AFTER FINAL REJECTION**

10/07/2002 JNCNLLA 00000005 501047 09697619
01 FC:115 110.00 CH

Applicants hereby petition the Assistant Commissioner to grant a one month extension of time, up to and including Monday, September 30, 2002, in which to respond to the Office Action dated May 28, 2002 in the above-identified application. The extension fee in the amount of \$110.00 may be charged to deposit account No. 50-1047. In addition, any deficiencies may be charged to deposit account No. 50-1047.

In response to the Office Action dated May 28, 2002, the period therefore having been extended by a Petition therefore and payment of the extension fee, kindly consider the following remarks.

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REMARKS

Claims 1-10 are pending in the application. Claims 1 and 8 are independent claims. The remaining claims depend from these independent claims. Reconsideration of Claims 1-10 is respectfully requested.

Independent Claim 1 is directed to a bracket, for mounting an electrical component device, the bracket having a first end, a second end and a shaft. The first end has a substantially semi-circular shape and an inner and outer surface, whereby the inner surface and substantially semi-circular shape permit an electrical component *device* to be retained thereon. The shaft connecting the first and second ends has at least one mounting point for attaching the bracket to a mounting surface. Upon attaching the bracket to the mounting surface, *the electrical component device, retained on the first end of the bracket*, may be electrically connected to the mounting surface.

Claims 1 and 8 were finally rejected as being anticipated by Van Lerberghe and Claims 2-10 were rejected as being unpatentable over Van Lerberghe in view of Prior Art.

Specifically, with regard to Claim 1, the Action notes that "Van Lerberghe discloses a bracket (7, column 3, line 4) for mounting an electrical component device (5, column 2, line 65) as shown in figures 1-2 comprising: a first end having a substantially semi-circular shape (13 - figure 2a) and an inner and outer surface, whereby said inner surface and said substantially semi-circular shape permit an electrical component device to be removably attached thereon; a second end (part of leg 24 - figure 2b) ; and a shaft (23 - figure 2b) connecting said first and second ends (see figure 2b)".

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In response to Applicants arguments of February 25, 2002, the Examiner disagreed and takes the position, on page 5, paragraph 8 of the Action, that Van Lerberghe shows a bracket...comprising a first end...being a one end of the bracket...and the first end having a substantially semi-circular shape...and a channel 12 having a cutout portion at a first end having substantially semi circular to retain a component".

Applicants again respectfully traverse the outstanding rejections. Van Lerberghe does *not* teach or suggest a bracket having a substantially semi-circular shape that "permits an electrical component device to be retained thereon"—rather, only the "wire leads extending from the *component* are secured to the printed circuit board *via wire clamps* soldered directly onto the surface of the contact faces".


Again, the "first end" of the *bracket* defined by Applicants' independent Claim 1 has an inner surface and substantially semi-circular shape that permits *an electrical component device itself* (not just the wire leads extending therefrom) to be retained on the bracket.

In addition, independent Claim 8 is believed patentable over Van Lerberghe for at least the same reasons as Claim 1 and each of dependent Claims 2-7 and 9 is believed patentable over the cited art for the same reasons as submitted above with respect to the independent claims from which they depend and as reciting additional patentable limitations.

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It is respectfully submitted that in regard to the above remarks that Claims 1-10 are in condition for allowance. Should the Examiner be of the view that an interview would expedite consideration of this response or of the application at large, request is made that the Examiner telephone the Applicants' undersigned attorney at (908) 518-7700 in order that any outstanding issues be resolved.

Respectfully submitted,


Karin L. Williams
Registration No. 36,721

Certificate of Facsimile Transmission

I hereby certify that this document and any document referenced herein has been transmitted via facsimile to the U.S. Patent and Trademark Office at (703) 872-9319 on September 30, 2002.

Karin L. Williams, Reg. No. 36,721

(Printed Name of Person Mailing Correspondence)


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